

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES

Plaintiff,

CASE NO. 06-20001

HON. LAWRENCE P. ZATKOFF

v.

DORIAN MERRIEWETHER

Defendant.

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**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION**

This matter is before the Court on Plaintiff's Motion for Reconsideration of the Court's June 13, 2006 Opinion which rejected the Rule 11 Plea Agreement and set aside Defendant's guilty plea.

A Motion for Reconsideration is governed by E.D. MICH. LR 7.1(g)(3), which states:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

The Court finds that Plaintiff ("the Government") has not satisfied this standard, and that the Government's Motion for Reconsideration should be denied.

In its Motion for Reconsideration, the Government presents a number of additional factual assertions for the first time to the Court. Nevertheless, the Government offers no evidence in support of these assertions, and the Court remains unconvinced that there is a sufficient factual basis for the Rule 11 Plea Agreement and guilty plea.

For this reason, the Court HEREBY DENIES the Government's Motion for Reconsideration.